

### **REMARKS**

Claims 1-29 are pending in the application. Claims 1, 7, 13, 16 and 28 have been amended. Reconsideration of this application is respectfully requested.

The Office Action rejects claims 1-20 under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,263,218 to Kita, hereafter Kita.

This rejection is erroneous as to independent claims 1, 7 and 16 because Kita lacks at least one method step or element recited in these claims. Claims 1, 7 and 16 recite that the passive device is capable of receiving messages from the local service provider and that the data message is transmitted to the local service provider for transmission to the passive device. In contrast, Kita's base station 245 transmits only to the active device (cell phone 247) and not to the passive device (wristwatch 249). Therefore, Kita lacks the recited capability of the passive device and the transmitting step of claim 1 and the second means of claims 7 and 16.

Although claims 1, 7 and 16 are believed to clearly distinguish from Kita for the above noted reason, each of these claims has been amended by changing "from" to "transmitted by", so that the language clearly recites that the passive device is capable of "receiving messages transmitted by the local service provider".

With respect to claims 3 and 9, Kita does not access a database that contains the identity of the active device and a list of passive devices of the subscriber that are associated with the active device.

With respect to claims 4, 10 and 18, Kita does not disclose or teach a step or means that identifies the passive device that is to receive the data message from the local service provider. Kita merely accesses position entry database 252 based on the phone

number of cell phone 247. Kita does not teach that any of the databases in ISDN 243 has any knowledge that wristwatch 249 even exists.

Independent claim 13 has been amended to recite that the receiver is capable of receiving data via a wireless transmission from a local service provider. Kita's wristwatch 249 is not disclosed as having any capability of receiving data via a wireless transmission from base station 245. Moreover, Kita does not teach a display and a controller that processes the data received from the local service provider for display on the display of the passive device.

For the reason set forth above, it is submitted that the rejection of claims 1-20 under 35 U.S.C. 102(e) is inapplicable and should be withdrawn.

The Office Action rejects claims 21-29 under 35 U.S.C 103(a) as unpatentable over Kita in view of U.S Patent No. 6,272,359 to Kivela et al., hereafter Kivela.

With respect to claims 21 and 26, Kita does not teach a passive device that is capable of receiving data messages from a local service provider. Kita does not teach that wristwatch 249 receives any message from base station 245. Rather base station 245 only communicates with cell phone 247. Cell phone 247 upon receiving a ring control message for an incoming call does not relay the ring control message, but instead transmits a different notification to wristwatch 249, namely the identification of wristwatch 249.

Moreover, Kita does not teach that any identity message transmitted from wristwatch 249 is relayed by cell phone 247 to a global registry. Kita does not teach that ISDN 243 or base station 245 keeps any record whatsoever of wristwatch 249.

With respect to claim 29, this rejection is erroneous because Kita lacks the steps of claim 1, the parent claim of claim 29, as noted above in the discussion for claim 1. Moreover, Kita lacks the feature recited in claim 29 that the passive device is movable

from one location to a new location and is still able to receive an additional data message from the local service provider identified in a repeated step (a). Kita's wristwatch 249 does not receive messages from any base station 245.

Kivela is cited to show that it is known to use a low power transmitter in a cell phone that is split in two parts. Kivela does not teach or disclose any of the steps and elements recited in claims 21-29 that are noted above as lacking in Kita. Since neither Kita nor Kivela teach the lacking steps and elements, the conclusion of obviousness is erroneous.

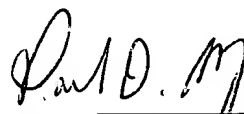
Claim 28 has been amended to correct a typographical error by deleting repetition of "wherein said".

For the reasons set forth above, it is submitted that the rejection of claims 21-29 under 35 U.S.C. 103(a) is erroneous and should be withdrawn.

It is respectfully requested for the reasons set forth above that the rejections under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) be withdrawn, that claims 1-29 be allowed and that this application be passed to issue.

Respectfully Submitted,

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